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GOVERNMENT OF TAMIL NADU
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TAMIL NADU GOVERNMENT GAZETTE

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Part IV—Section 2

Tamil Nadu Acts and Ordinances

The following Ordinance which was promulgated by the Governor on the
30th June 2020 is hereby published for general information:—

TAMIL NADU ORDINANCE No. 7 OF 2020.

***An Ordinance further to amend the Tamil Nadu Panchayats
Act, 1994.***

WHEREAS the Legislative Assembly of the State is not in session and the Governor of Tamil Nadu is satisfied that circumstances exist which render it necessary for him to take immediate action for the purposes hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor hereby promulgates the following Ordinance:—

1. (1) This Ordinance may be called the Tamil Nadu Panchayats (Third Amendment) Ordinance, 2020.

Short title and
commencement.

(2) It shall come into force at once.

2. In Section 261-A of the Tamil Nadu Panchayats Act, 1994, for the expression "to said panchayats after the date of commencement of the Tamil Nadu Panchayats (Amendment) Act, 2017 or upto the 30th day of June 2020", the expression "to the said panchayats in the districts of Kancheepuram, Chengalpattu, Villupuram, Kallakurichi, Vellore, Ranipet, Tirupathur, Tirunelveli and Tenkasi after the date of commencement of the Tamil Nadu Panchayats (Amendment) Act, 2017 or upto the 31st day of December 2020" shall be substituted.

Amendment of
Section 261-A.

30th June 2020.

BANWARILAL PUROHIT,
Governor of Tamil Nadu.

EXPLANATORY STATEMENT.

The Special Officers to the Village Panchayats, Panchayat Unions and District Panchayats were appointed in pursuance of the orders of the Hon'ble High Court of Madras in W.P. No.33984 of 2016, dated the 4th October 2016. The term of office of the said Special Officers of the three tier panchayats were extended, from time to time, and lastly extended upto the 30th June 2020.

2. The Hon'ble Supreme Court of India in I.A.No.182868 of 2019 in Civil Appeal Nos.5467-5469 of 2017, dated the 6th December 2019 read with W.P. (Civil) No.1443 of 2019, dated the 11th December 2019 has, among other things, directed that the Respondent-authorities shall hold elections to all Panchayats at village, intermediate and district levels, except those in the nine newly reconstituted districts namely, Kancheepuram, Chengalpattu, Vellore, Tirupathur, Ranipet, Villupuram, Kallakurichi, Tirunelveli and Tenkasi and also directed to delimit the nine newly reconstituted districts in accordance with law and thereafter hold elections for their panchayats at the village, intermediate and district levels within a period of three months. Accordingly, the Tamil Nadu State Election Commission conducted ordinary elections for electing the ward members of Village Panchayats, Panchayat Unions and District Panchayats and to the offices of the President of Village Panchayats and the elected representatives have also assumed office on 06.01.2020 except for the nine newly reconstituted districts.

3. Following the direction of the Hon'ble Supreme Court of India in I.A. No.182868 of 2019 in Civil Appeal Nos. 5467-5469 of 2017, dated the 6th December 2019 read with W.P.(Civil) No.1443 of 2019, dated the 11th December 2019, the Tamil Nadu State Delimitation Commission has conducted series of meetings with the District Delimitation Authorities for finalization of territorial wards of the Rural Local Bodies in the nine newly reconstituted districts and submitted its recommendation thereon to the Government and the same are under active consideration of the Government. Further, for conducting ordinary elections to Rural Local Bodies, the Tamil Nadu State Election Commission has initiated swift actions, namely, preparation of Local Body Electoral Rolls, identification of Polling Stations, revision of certain Booklets, Training to officials for conducting elections and development of software for randomization of polling official.

4. In the meantime, due to sudden outbreak of the pandemic disease, namely, COVID 19, high alert / lock down has been declared by the Central Government and the State Government and an order under section 144 of the Criminal Procedure Code, 1973 (Central Act 2 of 1974) has been issued. Consequent on the said measures, only limited employees of the Government are permitted to work in the offices. Further, the machinery of the Government are engaged in taking preventive, protective, relief and welfare measures on a war footing, to mitigate the suffering of the people due to the outbreak of COVID 19. Hence, the notification of delimitation of territorial wards of three tier Panchayats, in the nine newly reconstituted districts and the preparatory works could not be completed as per the planned schedule of activities.

5. Further, after notification of the delimitation of territorial wards of Village Panchayats, Panchayat Unions and District Panchayats the reservation of seats for Scheduled Castes, Scheduled Tribes and Women in the territorial wards of all the three tiers of Panchayats will have to be notified. Thereafter, the reservation of office for Scheduled Castes, Scheduled Tribes and Women in all the three tier of Panchayats have also to be notified by the Government. Only thereafter, the Tamil Nadu State Election Commission could be enable to notify the schedule for the conduct of ordinary elections to the Rural Local Bodies in the nine newly reconstituted districts, as ordered by the Hon'ble Supreme Court. In view of the above, additional time is required for the Tamil Nadu State Election Commission to complete the preparatory works for the conduct of elections to the Rural Local Bodies.

6. In the circumstances stated above, as the term of office of the Special Officers of Village Panchayats, Panchayat Unions and District Panchayats in the districts of Kancheepuram, Chengalpattu, Vellore, Tirupathur, Ranipet, Villupuram, Kallakurichi, Tirunelveli and Tenkasi expires on the 30th June 2020, the Government have decided to amend section 261-A of the Tamil Nadu Panchayats Act, 1994 (Tamil Nadu Act 21 of 1994) so as to extend the term of office of the said Special Officers for a further period of six months upto the 31st December 2020 or until the first meeting of the council is held after the ordinary elections to the Village Panchayats, Panchayat Unions and District Panchayats, whichever is earlier.

7. The Ordinance seeks to give effect to the above decision.

(By order of the Governor)

C. GOPI RAVIKUMAR,
Secretary to Government,

The following Ordinance which was promulgated by the Governor on the 30th June 2020 is hereby published for general information:—

TAMIL NADU ORDINANCE No. 8 OF 2020.

An Ordinance further to amend the laws relating to the Municipal Corporations and Municipalities in the State of Tamil Nadu.

WHEREAS the Legislative Assembly of the State is not in session and the Governor of Tamil Nadu is satisfied that circumstances exist which render it necessary for him to take immediate action for the purposes hereinafter appearing;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution, the Governor hereby promulgates the following Ordinance:—

PART – I.

PRELIMINARY.

1. (1) This Ordinance may be called the Tamil Nadu Municipal Laws (Third Amendment) Ordinance, 2020.

Short title and commencement.

(2) It shall come into force at once.

PART – II.

AMENDMENT TO THE CHENNAI CITY MUNICIPAL CORPORATION ACT, 1919.

Tamil Nadu Act IV of 1919. 2. In Section 414-B of the Chennai City Municipal Corporation Act, 1919, for the expression “upto the 30th day of June 2020”, the expression “upto the 31st day of December 2020” shall be substituted.

Amendment of Section 414-B.

PART – III.

AMENDMENT TO THE TAMIL NADU DISTRICT MUNICIPALITIES ACT, 1920.

Tamil Nadu Act V of 1920. 3. In section 375-B of the Tamil Nadu District Municipalities Act, 1920, for the expression “upto the 30th day of June 2020”, the expression “upto the 31st day of December 2020” shall be substituted.

Amendment of Section 375-B.

PART – IV.

AMENDMENT TO THE MADURAI CITY MUNICIPAL CORPORATION ACT, 1971.

Tamil Nadu Act 15 of 1971. 4. In Section 510-AAA of the Madurai City Municipal Corporation Act, 1971, for the expression “upto the 30th day of June 2020”, the expression “upto the 31st day of December 2020” shall be substituted.

Amendment of Section 510-AAA.

PART – V.

AMENDMENT TO THE COIMBATORE CITY MUNICIPAL CORPORATION ACT, 1981.

Tamil Nadu Act 25 of 1981. 5. In Section 511-AAA of the Coimbatore City Municipal Corporation Act, 1981, for the expression “upto the 30th day of June 2020”, the expression “upto the 31st day of December 2020” shall be substituted.

Amendment of Section 511-AAA.

PART – VI.**AMENDMENT TO THE TIRUCHIRAPPALLI CITY MUNICIPAL CORPORATION ACT, 1994.**

Amendment of Section 10-A. 6. In Section 10-A of the Tiruchirappalli City Municipal Corporation Act, 1994, for the expression "upto the 30th day of June 2020", the expression "upto the 31st day of December 2020" shall be substituted. Tamil Nadu Act 27 of 1994.

PART – VII.**AMENDMENT TO THE TIRUNELVELI CITY MUNICIPAL CORPORATION ACT, 1994.**

Amendment of Section 10-A. 7. In Section 10-A of the Tirunelveli City Municipal Corporation Act, 1994, for the expression "upto the 30th day of June 2020", the expression "upto the 31st day of December 2020" shall be substituted. Tamil Nadu Act 28 of 1994.

PART – VIII.**AMENDMENT TO THE SALEM CITY MUNICIPAL CORPORATION ACT, 1994.**

Amendment of Section 10-A. 8. In Section 10-A of the Salem City Municipal Corporation Act, 1994, for the expression "upto the 30th day of June 2020", the expression "upto the 31st day of December 2020" shall be substituted. Tamil Nadu Act 29 of 1994.

PART – IX.**AMENDMENT TO THE TIRUPPUR CITY MUNICIPAL CORPORATION ACT, 2008.**

Amendment of Section 9-A. 9. In Section 9-A of the Tiruppur City Municipal Corporation Act, 2008, for the expression "upto the 30th day of June 2020", the expression "upto the 31st day of December 2020" shall be substituted. Tamil Nadu Act 7 of 2008.

PART – X.**AMENDMENT TO THE ERODE CITY MUNICIPAL CORPORATION ACT, 2008.**

Amendment of Section 9-A. 10. In Section 9-A of the Erode City Municipal Corporation Act, 2008, for the expression "upto the 30th day of June 2020", the expression "upto the 31st day of December 2020" shall be substituted. Tamil Nadu Act 8 of 2008.

PART – XI.**AMENDMENT TO THE VELLORE CITY MUNICIPAL CORPORATION ACT, 2008.**

Amendment of Section 9-A. 11. In Section 9-A of the Vellore City Municipal Corporation Act, 2008, for the expression "upto the 30th day of June 2020", the expression "upto the 31st day of December 2020" shall be substituted. Tamil Nadu Act 26 of 2008.

PART – XII.**AMENDMENT TO THE THOOTHUKUDI CITY MUNICIPAL CORPORATION ACT, 2008.**

Amendment of Section 9-A. 12. In Section 9-A of the Thoothukudi City Municipal Corporation Act, 2008, for the expression "upto the 30th day of June 2020", the expression "upto the 31st day of December 2020" shall be substituted. Tamil Nadu Act 27 of 2008.

PART – XIII.**AMENDMENT TO THE THANJAVUR CITY MUNICIPAL CORPORATION ACT, 2013.**

Amendment of Section 9-A. 13. In Section 9-A of the Thanjavur City Municipal Corporation Act, 2013, for the expression "upto the 30th day of June 2020", the expression "upto the 31st day of December 2020" shall be substituted. Tamil Nadu Act 24 of 2013.

PART – XIV.**AMENDMENT TO THE DINDIGUL CITY MUNICIPAL CORPORATION ACT,
2013.**

Tamil Nadu Act
25 of 2013.

14. In Section 9-A of the Dindigul City Municipal Corporation Act, 2013, for the expression “upto the 30th day of June 2020”, the expression “upto the 31st day of December 2020” shall be substituted.

Amendment of
Section 9-A.

PART – XV.**AMENDMENT TO THE HOSUR CITY MUNICIPAL CORPORATION ACT, 2019.**

Tamil Nadu Act
10 of 2019.

15. In Section 10 of the Hosur City Municipal Corporation Act, 2019, in sub-section (4), for the expression “upto the 30th day of June 2020”, the expression “upto the 31st day of December 2020” shall be substituted.

Amendment of
Section 10.

PART – XVI.**AMENDMENT TO THE NAGERCOIL CITY MUNICIPAL CORPORATION ACT,
2019.**

Tamil Nadu Act
11 of 2019.

16. In Section 10 of the Nagercoil City Municipal Corporation Act, 2019, in sub-section (4), for the expression “upto the 30th day of June 2020”, the expression “upto the 31st day of December 2020” shall be substituted.

Amendment of
Section 10.

PART – XVII.**AMENDMENT TO THE AVADI CITY MUNICIPAL CORPORATION ACT, 2019.**

Tamil Nadu Act
24 of 2019.

17. In Section 10 of the Avadi City Municipal Corporation Act, 2019, in sub-section (4), for the expression “upto the 30th day of June 2020”, the expression “upto the 31st day of December 2020” shall be substituted.

Amendment of
Section 10.

30th June 2020.

BANWARILAL PUROHIT,
Governor of Tamil Nadu.

EXPLANATORY STATEMENT.

The Special Officers to the Town Panchayats, Municipalities and Municipal Corporations were appointed in pursuance of the orders of the Hon'ble High Court of Madras in W.P.No.33984 of 2016, dated the 4th October 2016. The term of office of the said Special Officers of the Town Panchayats, Municipalities and Municipal Corporations was extended from time to time and lastly upto the 30th June 2020.

2. Following the direction of the Hon'ble Supreme Court of India in I.A. No.182868 of 2019 in Civil Appeal Nos. 5467-5469 of 2017, dated the 6th December 2019 read with Writ Petition (Civil) No.1443 of 2019, dated the 11th December 2019 relating to delimitation of territorial wards of Village Panchayats, Panchayat Unions and District Panchayats in the nine newly reconstituted districts namely, Kancheepuram, Chengalpattu, Vellore, Thirupathur, Ranipet, Vilupuram, Kallakurichi, Tirunelveli and Tenkasi, the Tamil Nadu Delimitation Commission has conducted series of meeting with the District Delimitation Authorities for finalization of territorial wards of the Town Panchayats, Municipalities and Municipal Corporations also, in the nine newly reconstituted districts and submitted its recommendation thereon to the Government and the same are under active consideration of the Government. Further, for conducting ordinary elections to Urban Local Bodies, the Tamil Nadu State Election Commission has initiated swift actions, namely, preparation of Local Body Electoral Rolls, identification of Polling Stations, revision of certain Booklets, training for handling Electronic Voting Machines to officials and development of software for randomization of polling official and Electronic Voting Machines.

3. In the meantime, due to sudden outbreak of the pandemic disease, namely, COVID 19, high alert / lock down has been declared by the Central Government and the State Government and an order under section 144 of the Criminal Procedure Code, 1973 (Central Act 2 of 1974) has been issued. Consequent on the said measures, only limited employees of the Government are permitted to work in the offices. Further, the machinery of the Government and Urban Local Bodies are engaged in taking preventive, protective, relief and welfare measures on a war footing, to mitigate the suffering of the people due the outbreak of COVID 19. Hence, the notification of delimitation of territorial wards of Town Panchayats, Municipalities and Municipal Corporations in the nine newly reconstituted districts and the preparatory works for the conduct of ordinary elections could not be completed as per the planned schedule of activities.

4. Further, after notification of the delimitation of territorial wards of Town Panchayats, Municipalities and Municipal Corporations, the reservation of seats for Scheduled Castes, Scheduled Tribes and Women in the territorial wards of all the Urban Local Bodies in the nine newly reconstituted districts will have to be notified. Only thereafter, the Tamil Nadu State Election Commission could be enable to notify the schedule for the conduct of ordinary elections to the Urban Local Bodies. In view of the above, additional time is required for the Tamil Nadu State Election Commission to complete the preparatory works for the conduct of elections to the Urban Local Bodies.

5. In the circumstances stated above, as the term of office of the Special Officers expires on the 30th June 2020, the Government have decided to amend the laws relating to the Town Panchayats, Municipalities and Municipal Corporations, so as to extend the term of office of the Special Officers for a further period of six months upto the 31st December 2020 or until the first meeting of the council is held after the ordinary elections to the Town Panchayats, Municipalities and Municipal Corporations, whichever is earlier.

6. The Ordinance seeks to give effect to the above decision.

(By order of the Governor)

C. GOPI RAVIKUMAR,
Secretary to Government,
Law Department.